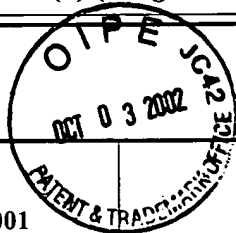


#3

**Petition For Revival Of An Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b) (Large Entity)**

Docket No.
23091/28 (ACT-162)

In'Re Application Of: Steinberg et al.



Serial No.
09/966,973

Filing Date
September 28, 2001

Examiner
unknown

Group Art Unit
2874

Invention: **OPTICAL DEVICE PACKAGE**

ASSISTANT COMMISSIONER FOR PATENTS

Attention: Office of Petitions

Box DAC

Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

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OFFICE OF PETITIONS

1. ☒ A proposed reply to the above-identified notice or action:

☒ is enclosed. ☐ was filed on _____

The proposed reply is in the form of: Response to Notice to File Missing Parts & Petition for Ext. of Time

2. ☐ The issue fee: 10/04/2002 AWONDAF1 00000035 09966973

☐ is enclosed. ☐ was paid on 01 FC:141 1280.00 0P

3. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

4. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

5. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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Invention: **OPTICAL DEVICE PACKAGE**

Calculation and Payment of Fees

Enclosed are the following fees:

- | | |
|--|-----------------------------|
| 6. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of: | <u>\$1,280.00</u> |
| 7. <input type="checkbox"/> Fee for amendment in the amount of: | <u> </u> |
| 8. <input type="checkbox"/> Fee for extension of time to respond to Office Action in the amount of: | <u> </u> |
| 9. <input type="checkbox"/> Issue fee in the amount of: | <u> </u> |
| 10. <input type="checkbox"/> Continuing application filing fee in the amount of: | <u> </u> |
| 11. <input type="checkbox"/> Terminal disclaimer fee in the amount of: | <u> </u> |
| 12. <input checked="" type="checkbox"/> <u>fee for extension of time and the declaration surcharge fee (\$1,960.00 + \$130.00)</u> | <u>\$2,090.00</u> |
| Total fees enclosed: <u>\$3,370.00</u> | |

The fee of **\$3,370** is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
 - ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0369
- A duplicate copy of this sheet is enclosed.

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2874

Invention: **OPTICAL DEVICE PACKAGE**

Statement

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

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OCT 07 2002

OFFICE OF PETITIONS

Dated: **September 26, 2002**

Signature

**Thomas M. Saunders, Esq. (Reg. No. 29,585)
Customer No. 21710
Brown Rudnick Berlack Israels LLP
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18th Floor, BOX IP
Boston, MA 02111
Tel.: 617-856-8340
Fax: 617-856-8201**

CC:

I certify that this document and fee is being deposited
on **09/26/02** with the U.S. Postal Service as
first class mail under 37 C.F.R. 1.8 and is addressed to the
Assistant Commissioner for Patents, Washington, D.C.
20231.

Signature of Person Mailing Correspondence

Carmen M. Constantinescu

Typed or Printed Name of Person Mailing Correspondence